

# United States Bankruptcy Court

For the NORTHERN District of IOWA

FILED  
U.S. BANKRUPTCY COURT S.C.  
NORTHERN DISTRICT OF IOWA

IN RE: DAVID A. SIMONSON and NANCY A. SIMONSON,

Chapter 7 **SEP 22 1988**

Case No. X87-021179 ~~BARBARA A. EVERLY, CLERK~~

ASSOCIATES NATIONAL BANK,  
v.

Plaintiff

DAVID A. SIMONSON,

Defendant

Adversary Proceeding No. X87-0436S

## JUDGMENT

☐ This proceeding having come on for trial or hearing before the court, the Honorable William L. Edmonds, United States Bankruptcy Judge, presiding, and the issues having been duly tried or heard and a decision having been rendered.

[OR]

☒ The issues of this proceeding having been duly considered by the Honorable William L. Edmonds, United States Bankruptcy Judge, and a decision having been reached without trial or hearing, upon stipulation of the parties,

IT IS ORDERED AND ADJUDGED:

that the stipulation is approved and that plaintiff Associates National Bank shall recover from defendant David A. Simonson the sum of \$1,250.00 payable in accordance with the terms of the stipulation filed with the court on September 16, 1988.

VOL. II  
Page 94

*copies mailed  
with order  
9-22-88, Jm*



[Seal of the U.S. Bankruptcy Court]

Date of issuance: 9-22-88

BARBARA A. EVERLY

Clerk of Bankruptcy Court

By: Luis McElhony

UNITED STATES BANKRUPTCY COURT  
Northern District of Iowa

FILED  
U.S. BANKRUPTCY COURT S.C.  
NORTHERN DISTRICT OF IOWA

IN RE:

DAVID A. SIMONSON and  
NANCY A. SIMONSON,

Debtors.

ASSOCIATES NATIONAL BANK,

Plaintiff,

vs.

DAVID A. SIMONSON,

Defendant.

SEP 16 1988

BARBARA A. EVERLY, CLERK

BANKRUPTCY NO. X-87-02117S

ADVERSARY NO. X-87-0436S

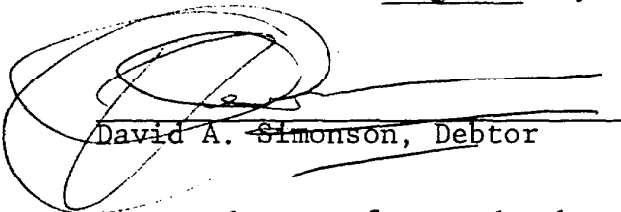
STIPULATION

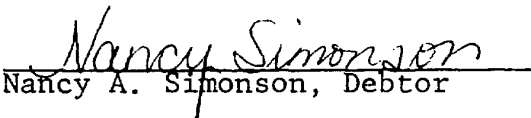
COMES NOW the parties in the above captioned matter and agree that the dispute arising from the complaint filed by Associates National Bank is hereby settled in full for the amount of \$1,250.00.

It is further stipulated between the parties that the Debtors, David A. Simonson and Nancy A. Simonson, shall pay to Lender, Associates National Bank, the sum of \$1,250.00 plus interest at 0.0% Annual Percentage Rate in 23 monthly installments of \$52.08 (and one final installment of \$52.16, the first installment being payable on August 1, 1988, and all subsequent installments on the same day of each consecutive month until paid in full. Payments shall be sent to: Associates National Bank, P. O. Box 880215, Dallas, Texas 75380.

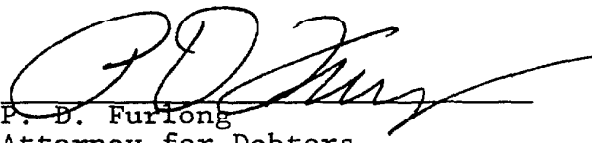
It is further stipulated that upon payment in full, Debtors shall be relieved from further liability to the Lender.


Dated this 6<sup>th</sup> day of September, 1988.

  
David A. Simonson, Debtor

  
Nancy A. Simonson, Debtor

Approved as to form and substance:

  
P. B. Furlong  
Attorney for Debtors  
401 Commerce Building  
P. O. Box 3005  
Sioux City, Iowa 51101

  
Susan S. Currie  
Attorney for Plaintiff  
2 North Fourth Street  
P. O. Box 47  
Clear Lake, Iowa 50428

Copy mailed to  
filing attorney  
SEP 16 1988  
fy

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF IOWA

FILED  
U.S. BANKRUPTCY COURT S.C.  
NORTHERN DISTRICT OF IOWA

IN RE:

SEP 22 1988

DAVID A. SIMONSON and  
NANCY A. SIMONSON,  
  
Debtors.

Chapter 7  
BARBARA A. EVERLY, CLERK

Bankruptcy No. X87-02117S

-----  
ASSOCIATES NATIONAL BANK,  
  
Plaintiff,

Adversary No. X87-0436S

vs.

DAVID A. SIMONSON,  
  
Defendant.


ORDER RE: STIPULATION OF SETTLEMENT

The matter before the court is the stipulation of settlement entered into by and between the plaintiff in this case and debtor-defendant David A. Simonson.

The court, having examined the stipulation of settlement between the parties, finds that such settlement should be approved and that notice of the stipulation of settlement to creditors and parties-in-interest is not required.

IT IS THEREFORE ORDERED that the stipulation is approved and that plaintiff Associates National Bank shall recover from defendant David A. Simonson the sum of \$1,250.00 payable in accordance with the terms of the stipulation filed with the court on September 16, 1988. Judgment shall enter accordingly.

SO ORDERED ON THIS 22 DAY OF SEPTEMBER, 1988.

  
William L. Edmonds, Bankruptcy Judge

cc: P. D. Furlong  
Susan S. Currie  
U. S. Trustee  
on 9/22/88, *SP*

# SHERIFF'S BILL OF SALE

FORM 141-L June 1989

The Sheriff of Dickinson County, in consideration of \$ 800.00, does hereby sell, assign, transfer and set over to Nebraska Furniture Mart, Inc. of \_\_\_\_\_ County, Omaha, Nebraska, the following property:

1 Oak Roll Top Desk, Model 794851

FILED  
U.S. BANKRUPTCY COURT S.C.  
NORTHERN DISTRICT OF IOWA

MAR - 7 1990

BARBARA A. EVERLY, CLERK

Which is now in the possession of the Dickinson County Sheriff. The above named buyer assents to becoming the owner of the above property.

Date 21 Feb 1990

Sheriff

Harold J. Giles

County

By

Norm Altmeyer

Deputy

STATE OF IOWA

Dickinson COUNTY

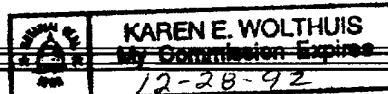
ss.

Subscribed to and sworn to before me at Spirit Lake, Dickinson County

Date 21 Feb 1990

Karen E. Wolthuis

Notary Public



United States Bankruptcy Court in and For the  
Northern District of Iowa

Iowa District Court  
COURT CASE #  
COUNTY

### PLAINTIFF'S BID OF JUDGMENT

PLAINTIFF

Nebraska Furniture Mart, Inc..

VS.

DEFENDANT

Hugh F. Levi & Cindy J. Levi

PLAINTIFF'S BID IN THE ABOVE CASE: \$ 800.00

DATE: 21 February 1990

BY: Duane E. Hoffmeyer--Telephone Bid.

ATTORNEY FOR PLAINTIFF

CHECK IN THE AMOUNT OF \$ 242.49 is enclosed for costs.

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
WESTERN DIVISION

FILED  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA

DEC 28 1989

BARBARA A. EVERLY, CLERK

NEBRASKA FURNITURE MART, INC., )

Plaintiff, )

v. )

HUGH F. LEVI,  
CINDY J. LEVI, )

Defendants. )

BK. NO. 87-01368S  
ADV. NO. 87-0289S

WRIT OF  
ATTACHMENT

TO: SHERIFF OF DICKINSON COUNTY, IOWA:

WHEREAS, on the 22nd day of September, 1988, in the United States Bankruptcy Court for the Northern District of Iowa, Nebraska Furniture Mart, Inc. recovered a judgment against the Defendants in the sum of \$2,020.15 plus interest and costs.

YOU ARE HEREBY COMMANDED to attach under this Writ the Defendant's roll top desk, Model No. 7B4051, and to pick up and sell said desk per State law.

Issued under the Seal of this Court on this 28<sup>th</sup> day of December, 1989.

CLERK OF BANKRUPTCY COURT

United States Bankruptcy Court

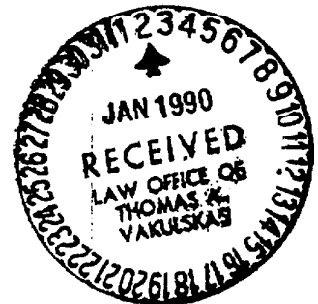


BY:

*Patricia M. Suiger*  
*Deputy Clerk*

RECEIVED

1990 JAN -4 AM 9:56  
SHERIFF, DICKINSON CO., IOWA



# SHERIFF'S SALE STATEMENT

Nebraska Furniture Mart, Inc.

87-01368S  
No. 87-0289S

Plaintiff

vs.

Hugh F. Levi Cindy J. Levi

Docket No. 18

Page No. 241

Defendant

Writ			Judgment	2,020	15
Serv. Execution	10	00	Interest		
Notice of Levy	10	00	Attorney Fees		
Posting Notices	3	00	Interest		
Notice to Plat			Storage fee	44	00
Publication	20	13	Moving Costs	25	00
Homestead Plat			copy fee	5	00
Recording Plat			Taxes		
Sale	30	00	Interest		
Bill of Sale	25	00	Accrued Cost		
Recording Sale			Sheriff's Fees		
Mileage	3	36	Appraisal fee	70	00
Total Sheriff's Fees			Total—Judgment, Int. and Costs as of		

Sold \_\_\_\_\_, 19\_\_\_\_

To \_\_\_\_\_

for \$ \_\_\_\_\_

Plaintiff's Attorney

## FEE STATEMENT AS SOLD

Attorney's Fees and Interest	\$	
Court Costs		
Sheriff's Fees	24	49
Total	\$	

NOTICE OF LEVY AND SALE ON Writ of Attachment

STATE OF IOWA } ss.  
County }

Nebraska Furniture Mart, Inc.

Plaintiff

Against

Hugh F. Levi & Cindy J. Levi

Defendant

Notice to Defendant

To the Above Named Defendant<sup>s</sup> or Party in Possession:

Sir: You are Hereby Notified That by virtue of an Execution,  
issued by the Clerk of the United States Bankruptcy Court in and For the  
Northern District of Iowa in the above entitled cause, to me directed, I  
have levied upon and executed, as your property, the following  
described Personal property

To-wit: One oak roll top desk, Model 7B4051

And I have advertised the same to be sold on the 21 day of Feb, A.D., 1990  
at 9:00 o'clock A.M., at the south front door of the Court House in Spirit Lake, Dickinson  
County, Iowa.

WITNESS my official signature this 18 day of Jan, A.D., 1990

Wendell J. Kilts

Sheriff of Dickinson County, Iowa

Duane E. Hoffmeyer Sioux City, Iowa  
Attorney.

By

*Wendell J. Kilts*  
Deputy.



# COMMISSION TO APPRAISE PERSONAL PROPERTY

In the Matter of the Appraisement of the  
Personal Property

—OF—

Hugh F. Levi & Cindy J. Levi

United States Bankruptcy Court For the Northern  
District of Iowa Western Division Court of

County, Iowa.

TO Dick Long and Bob Walters

GENTLEMEN:

You are hereby notified that you are this day appointed appraisers to appraise certain personal property of  
Hugh F. and Cindy J. Levi which was levied upon  
by the undersigned Sheriff of said County by virtue of Writ of Attachment issued out of the Clerk's  
office of said Court in favor of Nebraska Furniture Mart, Inc.  
and against the said Hugh F. and Cindy J. Levi After being duly sworn, you will  
proceed to appraise all the Personal Property of the said Hugh F. and Cindy J. Levi  
in such parcels as will be convenient to sell together, and set opposite each article or parcel the true cash value  
according to your best judgment. When completed you will sign and certify, and cause the same to be returned  
immediately to me.

IN WITNESS WHEREOF, I have hereunto set my hand this 31st day of  
January A. D. 19 90

Wendell J. Kilts

Sheriff Dickinson County, Iowa.

STATE OF IOWA,

Dickinson County. ss.

We, the undersigned appraisers selected to value the property hereinafter described, which was  
levied upon by Wendell J. Kilts, Sheriff of Dickinson County,  
Iowa, by virtue of Writ of Attachment issued out of the Clerk's office of the Bankruptcy Court  
in favor of Nebraska Furniture Mart, Inc.  
and against the property of Hugh F. and Cindy J. Levi

# SCHEDULE OF PROPERTY APPRAISED

One roll top Desk Model No. 7B4051

\$400<sup>00</sup>

We Dick Long and Bob Walters

being duly sworn depose and say that the foregoing appraisement made by us, shows the fair value of the property in the above schedule described at this time as he believes.

Dick Long  
Robert H. Walters } Appraisers.

Sworn to before me, and subscribed in my presence by the said Dick Long and Bob Walters

this \_\_\_\_\_ day of \_\_\_\_\_, February \_\_\_\_\_, A. D. 19 90.

Wendell J. Kilts

, Sheriff.

Norm Winter

Deputy

\_\_\_\_\_

Nebraska Furniture Mart, Inc. ....  
Plaintiff

Hugh F. Levi & Cindy J. Levi  
.....  
Defendant

**No.... 87-01368S....**

Said property described as follows:

one roll top desk, Model No. 7B4051

And do hereby agree to act as custodian of said property for said Sheriff and to retain said property in my custody and that none of the same shall be removed from my custody except it be by an order from the said Sheriff, and that I will care for said property and turn the same over to said Sheriff when called for by him.

Affidavit of Publication

STATE OF IOWA, DICKINSON COUNTY, ss.

**public notice**

**NOTICE OF LEVY AND SALE ON WRIT OF ATTACHMENT**

United States Bankruptcy Court in and For the Northern District of Iowa

Nebraska Furniture Mart, Inc.  
Plaintiff

Against  
Hugh F. Levi &  
Cindy J. Levi  
Defendants

Notice to Defendant  
To the Above Named Defendants  
or Party in Possession:

Sir: You are hereby notified that by virtue of an Execution issued by the Clerk of the United States Bankruptcy Court in and For the Northern District of Iowa in the above entitled cause, to me directed, I have levied upon and executed, as your property, the following described Personal property To-wit:

One oak roll top desk, Model 784051  
And I have advertised the same to be sold on the 21st day of February, A.D., 1990, at 9:00 o'clock A.M., at the south front door of the Court House in Spirit Lake, Dickinson County, Iowa.

WITNESS my official signature this 18th day of January, A.D., 1990.

Wendell J. Kilts  
Sheriff of Dickinson County, Iowa  
Quane E. Hoffmeyer  
Sioux City, Iowa  
Attorney

By Norm Winter,  
Deputy  
3843-2-8

I, Jeff Wagner being duly sworn, say that I am the  
Business Manager OF

**THE SPIRIT LAKE BEACON**

a weekly newspaper, printed at Spirit Lake, Dickinson County, Iowa, and that the annexed printed legal notice was published in said newspaper....

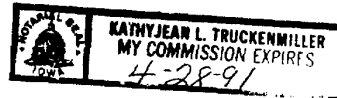
2 consecutive weeks; and that the first date of publication was February 1 1990, and the last date of publication was February 8 1990.

Signed [Signature]

Subscribed and sworn to before me by Jeff Wagner  
on February 12, 1990

Kathyjean L. Truckenmiller  
My commission expires  
NOTARY PUBLIC.

Publisher's Fee \$ 20.13



STATEMENT

In Account With

**The Spirit Lake Beacon**

SPIRIT LAKE, IOWA 51360

1/25/90

Dickinson County Sheriff

LEGAL PUBLICATION INVOICE

DATE	DESCRIPTION	RATE	CHARGE
1/1/90	Notice of Levy & Sale		12.18
2/1/90	Nebraska Furniture Mart, Inc.		
2/8/90	Hugh F. Levi & Cindy J. Levi		7.95
	Total	20.13	
	# 3843-2-6		
	Please return yellow copy with pymt		
	Thank You		